

*Linda Mys v. Michigan Department of State Police*

USDC-WD No: 1:10-cv-794

Honorable Robert J. Jonker

**EXHIBIT 2**

September 20, 2007

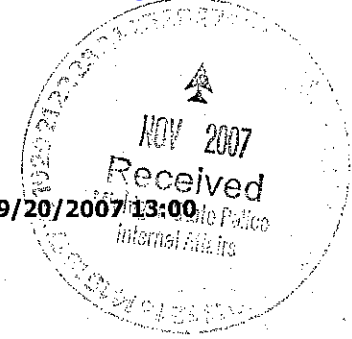
IA Complaint and Investigation

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**IA-109-07**

**COMPLAINT AGAINST MEMBER IA number: IA2007-109**

**Received: 09/20/2007 13:00**



Case number:

**Officers involved:**

**D/SERGEANT RICHARD C MILLER**

**Officer current info:**

Badge no: 75 EMPLOYEE NUMBER: 116387  
WORK SITE: 65 - NEWAYGO

**Snapshot - officer information at time of incident:**

Badge/ID no: 75  
BUREAU/OFFICE: FSB WEST REGION  
DISTRICT/DIVISION: SIXTH  
WORK SITE: 65 - NEWAYGO  
Rank/title: D/SERGEANT  
Age: 59 Years of employment: 36 Years with unit:  
In uniform: YES Off duty: NO Off duty employed: NO

**Actions taken:**

Nov 27, 2007 - UNFOUNDED Days/hrs suspended/assessed:

**Officer complainants:**

**SERGEANT LINDA ANN MYS**

Badge/ID no: 318 EMPLOYEE NUMBER: 121617  
BUREAU/OFFICE: FSB WEST REGION

**Summary:**

**IT IS ALLEGED D/SGT. RICHARD MILLER HAS BEEN MAKING INAPPROPRIATE VERBAL COMMENTS AND PHYSICALLY TOUCHING EMPLOYEES ASSIGNED TO THE NEWAYGO POST, CREATING A HOSTILE WORK ENVIRONMENT.**

**Investigative tasks:**

Due dt	Done dt	Type
10/20/2007	10/22/2007	30 DAY REVIEW
11/04/2007	11/05/2007	45 DAY REVIEW
11/19/2007	11/26/2007	60 DAY REVIEW

**When/where:**

Date/time occurred:

NEWAYGO POST ADDRESS: 360 ADAMS STREET NEWAYGO MI 49337 County: NEWAYGO

**Linked Word documents:**

Nov 27, 2007: ORIG AICS REPORT  
Nov 27, 2007: CLOSING MEMO PRINCIPAL  
Nov 27, 2007: CLOSING LTR COMPLAINANT

**Status/assignment information:**

Status: COMPLETED Priority: MEDIUM

Opened: 09/20/2007 Assigned: 09/24/2007 Due: 12/19/2007 Completed: 11/27/2007

District Input: UNFOUNDED

Disposition: UNFOUNDED

Unit assigned: INTERNAL AFFAIRS

Investigator assign: LIEUTENANT KARLA CHRISTIANSEN

Supervisor assign: LIEUTENANT SCOTT MARIER

Source of information: IN PERSON

**Organizational component(s):**

BUREAU/OFFICE: FSB WEST REGION

DISTRICT/DIVISION: SIXTH

WORK SITE: 65 – NEWAYGO

FOR INTERNAL AFFAIRS USE ONLY	
Region/Bureau Review	Date Reviewed
Closing IA Signature <i>FLT Daniel E. Rehn</i>	Date <i>11/28/07</i>



JENNIFER M. GRANHOLM  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF STATE POLICE  
EAST LANSING



COL. PETER  
DIREC

*Scanned  
Version*

November 28, 2007

Sgt. Linda A. Mys  
Michigan State Police  
Newaygo Post  
360 Adams  
Newaygo, Michigan 49337

Dear Sergeant Mys:

This correspondence is to advise you that the investigation into the complaint you filed against D/Sgt. Richard Miller was thoroughly investigated and is now complete. The investigation has been carefully reviewed by our Sixth District command staff, in conjunction with Internal Affairs, and is being closed as unfounded.

The Department of State Police has a proud history of professionalism and courtesy. When complaints are received that indicate our employees are not meeting the high standards of the agency, we take them seriously and investigate thoroughly.

Thank you for bringing this matter to our attention. If you have any questions regarding this investigation you may contact me at (517) 336-6562.

Sincerely,

SCOTT MARIER, LIEUTENANT  
Professional Standards Section  
Internal Affairs



JENNIFER M. GRANHOLM  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF STATE POLICE  
EAST LANSING



COL. PETER C. MUNOZ  
DIRECTOR

November 28, 2007

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Michigan State Police  
Newaygo Post  
360 Adams  
Newaygo, Michigan 49337

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Sincerely,

SCOTT MARIER, LIEUTENANT  
Professional Standards Section  
Internal Affairs

UD-040 (10/02)  
MEMORANDUM

**STATE OF MICHIGAN  
DEPARTMENT OF STATE POLICE**

**DATE:** November 28, 2007  
**TO:** D/Sgt. Richard C. Miller  
Newaygo Post  
**FROM:** Lt. Scott Marier  
Executive Division, Internal Affairs  
**SUBJECT:** IA-109-07 Closing

Internal investigation IA-109-07, dated September 20, 2007, has been thoroughly investigated and is now complete. Internal Affairs in conjunction with Sixth District reviewed the facts of the investigation on November 27, 2007, and determined that it should be closed as unfounded.

If you have any questions regarding this matter, you may contact me at (517) 336-6562.

pc: Capt. Gary Gorski  
F/Lt. Terry Harris

## Internal Affairs

ORIGINAL INCIDENT  
REPORT

ORIGINAL DATE Thu, Sep 20, 2007		INCIDENT NO. 001-0000109-07 (SM)	
TIME RECEIVED 1300		FILE CLASS 99009	
WORK UNIT MSP EXEC DIV IA AICS		COUNTY Kent	
COMPLAINANT LINDA MYS		TELEPHONE NO.	
ADDRESS: STREET AND NO. 360 ADAM S STREET	CITY NEWAYGO	STATE MI	ZIP CODE 49337-
INCIDENT STATUS Open			

**OTHER****SUMMARY:**

Sgt. Linda Mys alleges D/Sgt. Dick Miller has been making inappropriate verbal comments and physically touching employees assigned to the Newaygo post, creating a hostile work environment.

Sgt. Mys filed a complaint against D/Sgt. Miller (IA-75-05) in June 2005, which was not sustained. Sgt. Mys stated she felt let down by the department. She has since considered criminal prosecution many times and has thought about contacting Kent County Sheriff's Department to see if they would consider moving forward with criminal prosecution before the three year time limit expires.

D/Sgt. Linda Mys claims she was standing at the front desk of the Newaygo post on December 8, 2006, when D/Sgt. Dick Miller walked past and brushed her upper thigh and buttock with his hand. Mys claims it was an intentional act witnessed by Tpr. Erin Ginn. Tpr. Ginn cannot testify as to the date but remembers a time in the past when Miller brushed by Mys and she believes he did intentionally brush her leg and buttock. As D/Sgt. Miller walked past, both Mys and Ginn state Ginn exclaimed, "What the f\_\_k was that?" D/Sgt. Miller has no recollection of either brushing against Sgt. Mys or hearing Tpr. Ginn's remark.

Sgt. Mys claims there have been many other times D/Sgt Miller has bumped or brushed past her and made it appear clumsy or accidental but she knows it is intentional. Further, she sees "the way he is" with the secretary and it makes her mad (hangs around her, giggling, touching). The secretary resents Linda Mys complaining "on her behalf" and is somewhat afraid of her.

On August 27, 2007, D/Sgt. Miller told Sgt. Mys to get off her porno site and run some LEIN work. He stated he was frustrated because Linda had been on an internet non-work site for a long time and was not paying attention to work. He knew she was not on a pornography site and he admits he should not have said that.

Sgt. Mys also stated a woman one day, unknown date, came to the post requesting an FOI form. When she left, D/Sgt. Miller allegedly said to Mys, "What did that Black Biddy want?" There were no witnesses, Mys does not recall a date, D/Sgt. Miller denies saying it.

Sgt. Mys allegations of hostile work environment all center around "not wanting to see Dick's face" and "wanting him gone" due to the past not sustained investigation and the allegations in this complaint. Further, she alleges she was mistreated by her former post commander Kevin Leavitt from the moment she filed charges against Dick Miller in June 2005.

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F/Lt. Terry Harris has been the post Commander at the Newaygo post for nearly two years, since January 16, 2006. When I asked how he treated her; how she felt things were going at the post, she said, Lt. Harris treats me fairly, that's all I ask for."

**VENUE:**

KENT COUNTY, GRAND RAPIDS  
588 THREE MILE RD

**DATE & TIME:**

ON OR AFTER: SAT, JAN 01, 2005 AT 0800 AND BEFORE: THU, SEP 20, 2007 AT 1259

**INTERVIEW COMPLAINANT, SGT. MYS:**

On September 20, 2007, Linda Mys filed a complaint accusing D/Sgt. Richard Miller of making inappropriate comments and physically touching her and the post secretary in an inappropriate manner. On that date she then left her job and was away on a medical leave. Cathy Howell from Human Resources advised that Sgt. Mys could not be interviewed while she was on her medical leave.

On October 15, 2007, I received a call from Sgt. Chris Luty from the Michigan State Police Trooper's Association. He had spoken with Sgt. Mys and she told him she wanted to come in to Internal Affairs for her interview. Since it was cleared by the Trooper's Association and Cathy Howell of Human Resources, I set an appointment with Sgt. Mys for an interview.

I interviewed Sgt. Linda Mys in the Internal Affairs conference room October 15, 2007, at 1:55p.m. The interview was tape recorded.

A great deal of Sgt. Mys interview centered around IA-75-05, a complaint she filed against D/Sgt. Dick Miller June 24, 2005. That complaint was closed on September 29, 2005. In that complaint, Mys stated she and D/Sgt. Miller became friends, then confidants, then Miller, wanting a physical relationship, came to her house one night and she alleges he assaulted her. This was prefaced by Miller making inappropriate comments to her at work about wanting to kiss her. Mys stated during her interview that after the investigation Miller was sent to District Headquarters to work for a six month period of time. In reality, Miller spent approximately one month working on a cold case investigation out of District headquarters, according to Captain Gorski, and then-Newaygo post commander, Kevin Leavitt. Mys stated for the time he was gone and for a short period thereafter Miller left her alone.

In the current complaint Sgt. Mys alleges she is working in a hostile work environment due to Dick Miller's inappropriate sexual comments and inappropriate physical touching of her and the post secretary, Diane Bolton. Sgt. Mys says the hostile work environment was exacerbated by her then-post commander, F/Lt. Kevin Leavitt who treated her badly by not assigning her the same duties as before she filed the allegations against Dick Miller, and questioning her actions and decisions. She says he kept her out of the "information loop," refused to appoint her as the Acting Post Commander, and shouted at her for taking actions that she had always taken in the past (before she filed charges against Miller).

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Chronology

- 9-27-04 Leavitt went to FBINA, named Mys APC. Wrote letter praising her good job upon his return.(9-27-12/10/04)
- 6-24-05 Mys filed IA-75-05 assault comp. against D/Sgt. Miller after which she was not named APC by Leavitt again.
- 6-28-05 complaint Unsuspended after interview with Mys.
- 6-13-05 complaint Suspended criminal again, pending rev by A.G's office/local pros.
- 6-20-05 Unsuspended again, AG's office advises no criminal prosecution.
- July 05 D/Sgt. Miller worked at 6th Dist on cold case for a month.
- 7-03-05 Leavitt made Scott Rios APC instead of Mys.
- 7-19-05 Insp. Bush called F/Lt. Leavitt at home to say he is upset w/ Linda for her attitude Linda says it was her comment, "not going to get commendable" re: receipt book during Post Inspection.
- 9-13-05 Miller walked up behind, reached above/behind Mys, pressed and bumped "reaching for book."
- 12-07-05 Mys charges Not treating me fairly due to allegations, Leavitt admits "You're right" per Mys. Leavitt says it did not happen.
- 01-01-06 F/Lt. Leavitt transferred to Hart post.
- 01-16-06 F/Lt. Harris at Newaygo as new Post Commander.
- 12-08-06 Miller walked by front desk brushed Mys right thigh/buttock, Tpr. Ginn is witness. Ginn's daily indicates she did not work desk that day.
- 12-29-06 Mys claims she told F/Lt. Harris about phys contact by Miller, Harris denies he was ever told.
- 6-13-07 Ginn told Mys she is sick of Miller stalking Diane.
- 8-27-07 Miller told Mys, "Get off your porno site and run this LEIN work." Miller admits saying it.
- 9-07-07 Mys claims Betts told her " Miller had his hands all over Diane." Betts says he told Mys Miller only had his hand on Diane's shoulder.
- 8-6?-07 Lady at post, when she left Mys claims she heard Miller say, "What did that Black Biddy want?" Miller denies saying it - no witnesses.

Sgt. Mys stated D/Sgt. Miller went to work at District HQ for 30 days, then he came back to the Newaygo post and for a period of time things were okay between them. He left her alone. Things were still not good between her and the post commander, Kevin Leavitt.

Sgt. Mys stated for the next six months, her Post Commander Kevin Leavitt was angry with her for making the allegations against Dick Miller and was going to make her "pay the price" and he treated her unfairly. During a heated conversation on December 7, 2005, she said to him, "Look, you are not treating me fairly due to these allegations, and he yelled back at me angrily, you're right!" (Leavitt adamantly denies the response) She stated after the Miller allegations, she was questioned by command about things she had done "all along." Another major change cited by Sgt. Mys was that when F/Lt. Leavitt went to the FBINA in the fall of 2004 Sgt. Mys was the Acting Post Commander (APC). Upon his return four months later, Leavitt wrote a letter indicating what a good job Mys had done as APC. After making allegations against Sgt. Miller (June '05) she was not allowed to be the APC anymore. Either Sgt. Rios or according to Mys, "in an unprecedented move," the detective sergeants were left in charge of the post when Leavitt was unavailable. Mys said Leavitt told her if he left her in charge it would indicate he was siding with her against Miller. ( Leavitt denies saying that - not a conversation he would have with her.)

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January 1, 2006, F/Lt. Leavitt was transferred to the Hart post and Mys says things went back to normal. F/Lt. Terry Harris transferred in as the new Post Commander and she feels her job went back to normal, and she felt she was back in the information loop.

Sgt. Mys stated, "Then Dick (Miller) got lax and started making obscene comments and inappropriate contact." She used to back up against the wall to allow Sgt. Miller to pass by her. Recently he had begun to make what would appear to be accidental contact but she feels it is not accidental, but intentional. For example, on 9-13-05, Miller pretended to reach for a book above her and from behind her, and he bumped her shoulder. (Miller denies) Mys stated Miller now constantly bumps her and as he pretends to reach past her, knocks into her. (Miller denies) He acts like it is accidental but she knows it is intentional. She stated she never sees him bump into anyone else. He does not appear to be that clumsy around other people, just her.

Sgt. Mys stated on Sunday, Jan. 8, 2006, she was standing at the front desk. Tpr. Erin Ginn was on light duty working the desk. (A check of Ginn's daily indicates she did not work desk that day. She was out taking complaints most of the day.) As Sgt. Miller walked past he brushed Sgt. Mys upper right thigh and buttocks with his left hand. (Miller denies) Tpr. Ginn looked at Mys and said, "What the f... was that?" Mys said to her, "Welcome to my world." (Substantiated by Tpr Ginn) I asked if Mys said anything to Miller and she said she did not. She said it would not appear professional for her to "go off" on another sergeant in front of a trooper. Instead she went to F/Lt. Harris on January 29, 2006, (this is a Sunday) and told him about it. (F/Lt. Harris denies he was ever told about this.)

She also advised Miller had been given an order by F/Lt. Leavitt as part of the settlement of IA-75-05 not to come in on weekends yet Miller continued to violate that order. (See external doc)

I advised Sgt. Mys I would like her to concentrate on things she felt were contributing to her sense of workplace hostility in the here and now as opposed to the past. I asked what needed to go into the current investigation that had not already been investigated in IA-75. Mys stated she witnessed D/Sgt. Miller begin to "move in on" Diane Bolton (the secretary) by discussing a current investigation that had a lot of male/female explicit sexual details, and then he started putting his hands all over her and that really upset her. "As a supervisor I know what he is like and if I don't report it, who is at fault?" I asked if she reported it? She said she did not. She said she did not say anything because she was given a lawful order not to say anything about Dick Miller to anybody when IA-75-05 concluded. She stated Diane told her Dick Miller did many of the same things to her when she first came to the post. He befriended her, went to her home under the guise of fingerprinting her children for her, holding her hands too long at work, making sly comments to her, until finally she told him to knock it off. Diane asked her over and over to tell her what was going on but due to the order by Kevin Leavitt, she could not speak to Diane about it.

Note: In my interview with Diane, she is adamant this is not true. She was embarrassed but clear about her past relationship with Miller and stated when she told him it had to stop, he stopped.

In January, 2006, when F/Lt. Leavitt left and F/Lt. Harris arrived, things got back to normal and Sgt. Mys was once again allowed to be APC in her turn, and she was put back in the loop.

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I asked Linda what prompted her to file the actual complaint. I re-read the allegations from the UD-93 and asked about the inappropriate verbal comments and physical touching; when did it start in relation to the end of the last complaint? Linda stated it stopped for about six months and then Dick Miller started up again with his "rude and crude comments about women and his sexual comments."

She advised that on September 7, 2007, a week prior to filing the complaint, the janitor at the post, Don Betts, came up to her and told her he just walked by Dick's office and Dick had his hands all over her Diane. Linda said she just got angry. Linda further described it as, Diane was sitting in Dick's chair and Dick was leaning over and had his arm on Diane's shoulder and was saying something to her. "The problem is, I saw him do that two weeks earlier in the conference room. We (Diane and Linda) were eating lunch together and he walks in, and this was *not* professional conduct. The way he walks up to her and he's giggling and he puts his hand on her shoulder while I'm in the conference room and he leans like this far from her and whispers something to her and I'm mad and I'm leaving and I'm going when's this gonna move on to him showing up to her house. When's he going to start or has he already started grabbing her like he did me?"

I asked if she knew if Diane complained about Sgt. Miller's actions. Linda said she believed F/Lt. Harris spoke with Diane and she either denied that anything occurred or did not have a complaint. He also spoke with D/Sgt. Miller who also denied anything occurred. She stated when Lt. Harris told her "Command" was not going to do anything to Dick Miller it was as if they were condoning his actions and she could not work in that environment anymore. That triggered the filing of the complaint.

I asked Mys who else could attest to Miller's crude sexual comments. She cited the following people: Post janitor Don Betts, Tpr. Hugh Welch, and Newaygo City Chief of Police Pat Hedlund.

Sgt. Mys further stated that on June 13, 2007, Tpr. Erin Ginn said she "was sick of how D/Sgt. Miller was stalking Diane." (Ginn confirmed saying this to Mys). I asked for examples and Sgt. Mys said she had a billion of them. When I asked for something specific she told about D/Sgt. Miller telling a story about an investigation that involved homosexual couples in front of Diane. Mys said Miller is always telling sexual stories in front of Diane. Everything is all about sex.

Mys cited another example. She stated a female relative of Newaygo Chief of Police Pat Hudlund was the victim of a sexual crime that was video taped by the suspect. D/Sgt. Miller had watched the video and was describing it to Hedlund, not knowing the victim was his relative. According to Mys, Hedlund was furious. He told Mys that Miller told him about the assault and explicitly detailed the assault using hip thrusts to make it more graphic. In his phone call to Linda Mys he said he couldn't believe, "you people have this man employed. Everything that comes out of that man's mouth is sexual."

**PHYSICAL:**

I asked Linda Mys for all of the specific allegations of provable physical contact of this complaint:

12-8-06 Dick Miller walked by and his hand brushed her upper right thigh and buttock. (Ginn Witnessed intentional physical contact - not "grab", but brush, admits to saying "what the f... was that?")

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**Internal Affairs**  
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9-13-05 Walked up behind and reached above her (from behind) pressing and bouncing into her instead of saying excuse me, reached for a book. (Ginn does not recall the specific date but advises she saw numerous physical bumps and unnecessary contacts and proximity while working desk.)

**COMMENTS:**

Sgt. Mys stated it is not fair for her to have to remain in an environment where Dick Miller continually makes comments and for her to have to continually listen to him. I told her to tell me about the comments. She advised Dick Miller claims he cannot run guns on his computer in his office so he goes up to the front desk and interrupts her while she is doing her job. On August 27, 2007, Miller approached the front desk where she was working and told her to, "Get off your porno site, I need to run this plate." Mys continued, "It's a continual knock down about sex."

I asked for another example. Mys stated a lady came into the post accompanied by a small child and asked for an FOI sheet. When she left, Dick Miller said, in front of Linda and Diane, "What did that Black Biddy want?" (In her interview, Diane denies she heard this comment.) Linda stated she turned and said to him, "That is inappropriate." She said every time there is a woman in the post he has something to say either about their race, their weight, or how they look. He asked again what she wanted and Linda said she just ignored him.

In September 2005, after allegations were "Not Sustained" against Miller, Sgt. Mys was working desk one day and needed to use the rest room. She unholstered her weapon, walked out to lock the front door because Diane was not there to address walk-in traffic, and then walked back toward the bathroom to place her weapon on the sink as she usually does. D/Sgt. Miller saw her place her gun on the sink. Before she closed the door to the bathroom, she saw him watch her put her gun on the sink and saw an odd look on his face, so she went to him to tell him she does it that way every time she uses bathroom, and not to worry. The next day Dr. Wolford from Behavioral Science arrived because Capt. Gorski was called due to concern over her mental health. She stated she believed Miller reported this event as a way to make her look bad and to make it look like she was "whacked out" and to make him (Miller) look good in front of "Command." (According to Kevin Leavitt's documentation, this incident occurred July 28, 2005)

Sgt. Mys stated she believes that is the reason F/Lt. Leavitt pressured her so much. He also wanted to make her "whack out." But, she said, she just shut up and took it. She advised she went to Lansing for her 2nd IA interview July 10, 2005. When she returned, Lt. Leavitt called her into the office and chewed her out for wearing a Polo shirt and slacks while driving the Tahoe. She said she had driven the Tahoe wearing slacks and a Polo shirt the last four months as APC and to attend post commander meetings and no one had a problem with it but since she made the allegations against Miller, now there's a problem. She said to F/Lt. Leavitt, "You're doing this because of these allegations I made against Dick and he said, "You're right." (Denied by Leavitt 7-20-05)

As the interview wound down, I asked Linda if there was anything else she wanted to add. She included the following items:

Dick Miller runs to the front lobby every time a female comes in to the post, every time there is a "damsel in distress."

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Dick came into post on weekends even after being ordered not to by F/Lt. Leavitt. He violated Leavitt's order.

Sgt. Mys discussed more unfair treatment at the hands of her then-Post Commander F/Lt Kevin Leavitt:

F/Lt. Leavitt "yelled at" Mys for working three hours of overtime during her long weekend to prepare for inspection. She stated she has always done this in the past. Leavitt denied the OT because it was not pre-approved. (She had also taken off early without approval two other days in the week without letting anyone know, then came in and put in for OT to get work done she could have done on regular time during the work week.)

Mys stated on July 3, 2005, D/Sgt. Scott Rios was named Acting Post Commander instead of her because Leavitt didn't like her.

On July 19, 2005, during the Post Inspection, Inspector Bush got upset with her over a comment she made. The post had more money on hand than was indicated in the receipt book. Mys stated, "It looks like I'm not going to get a Commendable on this." She said F/Lt. Leavitt told her later that Inspector Bush was offended by her comment. (Leavitt stated on 7-11-05 he was called at home while on vacation by Insp. Bush and told Bush did not like Linda's attitude in response to his questions during inspection, date discrepancies.)

July 10, 2005 Sgt. Mys e-mailed F/Lt. Leavitt before she went to the 2nd IA interview (in the Tahoe wearing the slacks and the Polo shirt) Mys put guns in the Tahoe for transport to Lansing, drove the Tahoe home and locked it in the garage overnight. In the morning Mys drove to Lansing, took the guns to Central Records and went to her interview. Mys stated Leavitt got very angry with her and screamed at her telling her she violated official orders by putting the guns in her Tahoe and taking them home the night before. She asked why it was wrong for her to do it but it was okay for the detectives to do it, and why it was alright for her to do the same thing in the past but now it was wrong? She pointed out she had e-mailed him the day before she did it letting him know what her plans were and he had no objections then. She was not trying to hide anything, and she was just trying to get rid of some property the same day she was going for her internal investigation interview. (According to Kevin Leavitt's documentation, he was on vacation that week; D/Sgt. Scott Rios was APC. She did not send e-mail to Scott Rios for permission.)

On July 27, 2007, Tpr. Hugh Welsh got sick. Mys (off duty) called Mrs. Welch to provide her with information about her sick husband. F/Lt. Leavitt got angry that she called Mrs. Welsh to provide her with a hospital update. He "screamed at her" but did not get angry at Sgt. Nelson who did the same thing. When questioned, she stated she does not know for sure that Leavitt did not say something to Nelson. (D/Sgt Leavitt documents this on 7-20-05-stated when he spoke to Linda he believed she was quite drunk - slurred words, confused speech. Rios said she sounded "plastered." They agreed she must have been in the same condition when she spoke with Mrs. Welsh.)

On December 7, 2005, Sgt. Mys accused F/Lt. Leavitt of not treating her fairly and she says he admitted she was right. (Leavitt denies saying that to her) Mys says Leavitt gave her a direct order not to talk to anyone else about the Miller incident on that date.

PAGE 7 of 26	INVESTIGATED BY LT SCOTT MARIER #145 LT KARLA R CHRISTIANSEN #35	REPORTED BY LT. KARLA CHRISTIANSEN #35	REVIEWED BY SM 11-19-07
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Internal Affairs  
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November 16, 2005, Mys stated Diane was present when F/Lt. Leavitt accused Mys of holding a meeting without him. Mys stated two troopers came into the post for some water. They stood by the water cooler laughing and joking, while Mys. stood nearby putting supplies away. The troopers left just as F/Lt. Leavitt came out of the office to see what all the laughing was about. At that point he accused Linda of "holding a meeting without him." In her interview, Diane advised she did not recall that incident.

Sgt. Mys says the entire time F/Lt. Leavitt was at the Newaygo Post from the time she made the allegations until he left in Jan. '06, "Leavitt was constantly on my ass about something. It was never like that before. He was never like that before this incident. We were close. I got high performance appraisals. Kevin's death upset me but then after the allegations, he came after me. He did not take the appropriate actions against Dick and came after me for things that were uncalled for."

I asked how things were with F/Lt. Harris. Sgt. Mys stated, "F/Lt. Harris has been very fair with me. That's all I ask."

**INTERVIEW WITNESS ERIN GINN:**

On October 23, 2007, at 8:30a.m. I spoke on the telephone with Tpr. Erin Ginn. 616-794-9640. I advised her she was being interviewed as a witness in the Linda Mys complaint.

Tpr. Ginn stated she had been on light duty at the post from March through July of 2007. She knows Linda Mys has issues with D/Sgt. Miller but they have not gotten into any discussions about them.

I told Tpr. Ginn the investigation centers around allegations that D/Sgt. Miller makes inappropriate comments and inappropriate physical contact and asked if she could provide me with any helpful information. Tpr. Ginn replied, "Yeah, he does that. But specifically, no. I can't give you any specific comments." She stated he just likes to talk about sex and sexual things. She said, "Dick gravitates toward women. He comes out of his office and is the first one in the lobby if a woman comes into the post." She said she doesn't know how he does it, but he seems to have a radar, he just knows when a woman is present and he has to come out and hang around.

Tpr. Ginn said it is really bad around Diane. Miller finds a hundred excuses to be behind the desk, milling around Diane, bringing her food or telling her stories. And if Linda is at the front desk it is the same thing. He finds reasons and excuses to come to the front desk and hang around. If Linda is standing near the desk, Miller will find an excuse to need to get past her so he has to physically touch her or move her. He seems to go out of his way to be around her. She stated she watched this pattern after working desk for so long.

I asked if Tpr. Ginn recalled the December 8, 2006, incident, when D/Sgt. Miller brushed past Sgt. Mys and brushed her leg and buttock with his hand. She stated she did not recall that it was on that date but she recalled there was an incident when Miller brushed past Mys and rubbed her leg. I asked if she said anything specific to Sgt. Mys during the incident. She said, "I'm sure I did but I don't recall what it was. I remember Linda making a gesture or rolling her eyes when I said something." I asked if she might have said, "What the f... was that?" Tpr. Ginn chuckled and said, "That's what I would have said, yeah. I would have said that." I told her I was not trying to put words in her mouth and I wanted her to try to remember the situation for what it was. She said she did recall the situation of Miller brushing by Linda and her (Ginn) being surprised by his physical

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contact with Mys. She stated she did not see him actually grab Mys, but was aware of Miller brushing by and having very close contact with Linda's leg with his hand, which is what prompted her outburst. Then she remembered Linda rolling her eyes. Ginn said she recalled commenting to Mys about how it's obvious he (Miller) needs to be near you.

I asked if Sgt. Mys had a tendency toward sexual comments herself. She said no, nothing out of the ordinary. Nothing that would allow Dick Miller to think she would be interested in him.

Tpr. Ginn advised she was aware there was an order on the books that prohibited D/Sgt. Miller from coming into the post on the weekends but that did not seem to stop Dick Miller. It seemed he always found some excuse to come by his office for one thing or another in violation of the order.

I asked if she could shed any light on why Linda seemed to have difficulty with then-post commander F/Lt. Kevin Leavitt. Tpr. Ginn advised that F/Lt. Leavitt had a real problem with women. When she transferred to the post she told him she was there so her son had access to good medical treatment because after all, her family came first in her life. F/Lt. Leavitt told her that was going to be problem. She was a trooper and the Department should come first. Since her son has a lot of medical problems and she required a great deal of time off for doctor visits, Leavitt ultimately ordered her to call in directly to the post, unlike other troopers who called in to Rockford when they needed a sick day.

Tpr. Ginn stated she tried to explain that she would work very hard for him when she was there, but when she needed to be with her child he had to be the priority. She said Leavitt did not deal with that very well.

**INTERVIEW WITNESS CHIEF PAT HEDLUND:**

On November 1, 2007, at 8:15a.m. I interviewed Newaygo Chief of Police Pat Hedlund. I advised him I was investigating a situation involving a trooper at the Newaygo Post, and he said he knew it involved Linda Mys. Hedlund stated he had gotten to know Linda Mys when he worked for the Sheriff's department in Lake County and she worked for the MSP Reed City Post. They did not care for each other and when he came to Newaygo City P.D. he heard through the grapevine that Linda had bad-mouthed him. Since that time they have worked on the Kevin Marshall Park committee together and have gotten along well. They still don't socialize, and Hedlund said he wonders about Linda's emotional stability.

I explained to Chief Hedlund that Linda Mys told me in her interview that one of his relatives had been the victim of a CSC. The suspect had video taped the assault. Dick Miller had gotten involved in the investigation and had watched the video tape. According to Linda Mys, Miller had a conversation with Pat Hedlund and not knowing Hedlund was a relative of the victim, described the assault to Hedlund in explicit detail "using hip thrust motions and all that sick shit." I asked how accurate Linda's statement to me was.

Chief Hedlund went through a very long explanation that involved politicians, former mayors, current mayors, extorted monies, embezzled funds, and blackmail. He then told me about the sexual assault of the daughter of a woman who married into his wife's family; "not really a relative." He said Dick Miller told him about an investigation in which he had to identify a singer who worked at a local Bed and Breakfast who may have been involved in a local political scandal. Hedlund stated Dick Miller pulled the singer's photo up on the computer. (This turned out to be the woman who married into the wife's family) Dick went into a long story about the

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about the woman being married to a farmer but she had many lovers. I asked if Miller "explicitly described" the sex acts and Hedlund said no, Miller was gross, just slumped down in his chair and said the woman was "really something, and he "had a real weird dirty old man look on his face." I asked if Dick Miller had seen a video tape of a sexual assault as described by Linda Mys. Hedlund said Miller had not described any video tape. Nor had he explicitly described any sex acts. Nor had he performed any hip thrusts. Chief Hedlund said he does not like or respect Dick Miller. No matter what the topic, everything you talk to Dick Miller about turns into a conversation with sexual overtones. And according to Chief Hedlund, "the Top Law Enforcement in the county think Dick is losing it, turning senile."

Chief Hedlund then went into another monologue about the Corrigan/Miller connection, the politics of the City, and the corruption Dick Miller refuses to investigate. I explained my mission to Chief Hedlund and thanked him for his time.

#### INTERVIEW D/SGT. SCOTT RIOS:

I conducted a telephone interview with D/Sgt. Scott Rios, 231-823-2306, on October 31, 2007, at 10:00a.m. D/Sgt. Rios is on sick leave with an injured foot and he agreed to the interview.

D/Sgt. Rios stated he has worked with D/Sgt. Miller at the Newaygo post for nine years. He has worked directly with Miller in the detective bureau since 2004. Rios described Miller as "old school, gentlemanly." He said if Miller spoke to you and placed a hand on your shoulder, it would not seem out of line. Rios had seen Miller do it with many of the troopers.

I described the comments alleged to have been made by D/Sgt. Miller. D/Sgt. Rios stated he did not hear Miller make the Black Biddy comment and that did not sound like terminology he would use. When asked about the alleged comment to Mys, "Get off the porn site and run my LEIN work," Rios said he did not hear it and he thought it was unlikely D/Sgt. Miller would use the words "porn site."

I asked if Linda Mys made sexual comments. Rios said she used to. But it was mostly before she filed the complaint against Dick Miller - pre 2005. Now it's just the normal stuff - she has a filthy mouth.

I asked about D/Sgt. Miller coming out of his office and into the lobby every time a woman comes into the post. D/Sgt. Rios said he and Miller both try to help out up front when people come into the post whether it is a man or a woman. If the desk personnel says they can handle it, they go back to their office. He has not noticed Dick Miller go up front especially because it is a woman. Rios said Dick Miller makes an effort to stay away from the front desk.

D/Sgt. Rios stated he did not see any physical contact between Dick Miller and Linda Mys. He said since the original complaint (IA-75-05) was filed two years ago Dick Miller has gone out of his way to avoid any contact with Linda and "he keeps his distance." I asked if he had ever seen any contact that could have been interpreted as "accidental" while Mys and Miller were passing in the hallway or moving past the desk. He had not.

I asked if D/Sgt. Rios could explain the animosity Sgt. Mys held for Kevin Leavitt. Rios said Leavitt called Mys on the Kevin Marshall business. He would not allow her to work on it on company time. Leavitt could

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see it was getting out of hand and told her she had to work on it on her own time. Linda was very sensitive, to the point of obsession about the whole Kevin Marshal thing. No one could understand it. F/Lt. Leavitt kept Mys on task, doing her job, and then followed up to be sure the tasks he had assigned had gotten done, and Mys resented that.

D/Sgt. Rios stated F/Lt. Leavitt was a very good post commander who kept people on task and was very involved in the community. He believed the real trouble for Mys was that she was limited on the amount of time she could spend on the Kevin Marshal project while on duty and that made her angry.

I asked if there was anything else D/Sgt. Rios wanted to add. Rios stated a while ago Don Corrigan, a local resident, came into the post to complain to Dick Miller about election violations in the city. Linda Mys was aware of the content of complaint and while Corrigan was talking to Miller, she called Newaygo Chief of Police Pat Hedlund to tell him about the complaint. Before she hung up D/Sgt. Rios heard her say to Hedlund, "This call never happened." D/Sgt. Rios reported the situation to D/Lt. Schram but Rios thinks Mys believes D/Sgt. Miller reported that she made that phone call to Hedlund, tipping him off. Apparently that call spurred an investigation. Rios said to this day Linda believes Miller made the phone call to Schram which probably adds fuel to the fire.

#### INTERVIEW TPR. MISTY LONG-BERGY:

On November 2, 2007, at 3:20 p.m. I spoke with Tpr. Misty Bergy in a telephone interview, 231-631-8432. Tpr. Bergy advised she has been a trooper at the Newaygo Post since 1998, arriving right out of recruit school. She is aware there is a lot of tension between Sgt. Linda Mys and D/Sgt. Dick Miller and knows that "something happened two years ago where Linda filed a complaint against D/Sgt. Miller. She has heard it had to do with him attacking her or touching her, but Tpr. Bergy said she finds that real hard to believe. She has never seen or heard anything out of line from D/Sgt. Miller. She has been on several trips "down-state" with him and has ridden with him on complaints and for training and he has never "tried anything" or done anything inappropriate. Nor has she seen him do anything around Linda at the post. In fact, Tpr Bergy said D/Sgt. Miller "shies away from her."

I asked if D/Sgt. Miller has a tendency toward inappropriate language or comments. She said everybody kids around but she has not heard anything she would find offensive or out of line from Dick Miller.

I asked Tpr. Bergy why she thinks this is happening at the Newaygo post now? She said she did not know. She thought things were going alright. She said when F/Lt. Leavitt was the post commander, Sgt Mys was under a lot of pressure, in fact they all were. F/Lt. Leavitt was a new Post Commander and wanted everything done just right. He put a lot of pressure on everybody, and Linda especially was not holding up well to the pressure. Then when Kevin Marshall was killed Linda seemed to take it harder than many of the other troopers, even though they weren't particularly close. Bergy thought Linda may have felt guilty for being hard on Kevin for things just prior to him getting killed. Then she went through her divorce and things spiralled downward. When F/Lt. Harris got to the post things seemed to get better. Bergy has no idea what precipitated the downward spiral this time.

I asked if she knew if Tpr. Ginn and Sgt. Mys were particularly good friends. Bergy said they worked desk together quite a bit and seemed to get along pretty well. I asked if she could account for Ginn supporting

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Linda's statements that Dick Miller made crude sexual comments and hung out at the desk and made frequent physical contact with Linda. She could not explain why Ginn would support those statements. She did say that Ginn had not been at the post as long as most other troops, and Tpr. Ginn is very outspoken. It is unlikely that Linda Mys would have ever done anything to get on Erin Ginn's bad side so it's understandable that they are still close. Bergy said Sgt. Linda Mys has a tendency to target a trooper and pick them apart, finding little inconsequential ridiculous things to ride them for for a period of time. After a while, she will move to another trooper. She knows Tpr Ginn would never put up with that. She is very outspoken and they would have a real discussion. Therefore Ginn and Mys have remained on very friendly terms.

Bergy said she does remember a conversation approximately a year ago she had with Erin Ginn about what happened or did not happen between Mys and Miller. She remembers that Ginn told her she doubted that what Linda said Miller did to her really happened. That is why she finds it surprising Ginn is so supportive today.

**INTERVIEW WITNESS F/LT. HARRIS:**

I interviewed Newaygo Post Commander F/Lt. Terry Harris October 19, 2007, at 10:05 a.m. in his office at the post reference IA-109-07. F/Lt. Harris advised he has been the post commander since January 16, 2006. He took over from the former post commander, Kevin Leavitt.

I explained to F/Lt. Harris there are allegations against D/Sgt. Miller of inappropriate comments and touching which contribute toward a hostile work environment and asked if any of these things had been reported to him. Harris said just after he arrived at the post Sgt. Mys came to him "from time to time" and told him she felt intimidated by Dick Miller. "Seeing his face every morning bothered her." F/Lt. Harris had no specific dates for these contacts. He stated he had no access to information on the specifics of what had taken place between Miller and Mys before he arrived at the post. He only knew there had been some kind of problem between them because he'd been warned about tension between them by the former post commander. Since then things seemed to move along alright.

Two months ago F/Lt. Harris had a talk with Sgt. Mys and commented to her about how well she and D/Sgt. Miller seemed to be getting along, and how she seemed to be handling things in a professional manner. F/Lt. Harris said Sgt. Mys agreed with that assessment.

I asked if Sgt. Mys ever reported any physical contact to him by D/Sgt. Miller. He stated the only physical contact Linda reported to him occurred Sept 17, 2007, a few days before she left on medical leave. Linda approached F/Lt. Harris and reported inappropriate contact and conversation between D/Sgt. Miller and the post secretary, Diane Bolton.

F/Lt. Harris stated he brought Diane into his office and asked her if there was anything going on in the post that was making her feel uncomfortable? Or if anyone was doing anything or saying anything that made her uncomfortable? Or if Dick Miller in particular was doing or saying anything or ever had any improper physical contact that made her uncomfortable? Diane was very firm in her denial. F/Lt. Harris was convinced Diane was being truthful. F/Lt. Harris then spoke with D/Sgt. Miller who was equally firm in his denial of impropriety. F/Lt. Harris stated he felt convinced after speaking to Diane and D/Sgt. Miller that nothing improper had occurred between them. Nothing had occurred that extended beyond friendly/professional/non-sexual contact.

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I asked F/Lt. Harris how specific the touching was of which Linda Mys spoke? He advised it was very broad in scope. Linda said Miller put his arm on Diane's chair or her shoulder. He asked Linda why that was a concern to her. She responded, "Because I know what that means. That's how it started with me." F/Lt. Harris said he explained to Sgt. Mys that "Diane is a big girl, she is an adult, she did not seem to be afraid, and if she wants to report a problem she can come to me."

Then Linda said, "What about the other things?" Harris asked what other things? Linda then told him Dick had been brushing up against her and touching her as well. F/Lt. Harris said he tried to get her to be more specific. He asked, "How is he touching you?" Mys said, "Well, I don't know if it's on purpose or not." F/Lt. Harris said at that point he didn't really know what action to take with Dick Miller because if she (Mys) couldn't determine if Miller's actions had been intentional, it really is hard for Harris to believe that Dick felt that it was intentional." Also, there was little Harris could do about Mys' allegations for Diane since Diane said it never happened. Sgt. Mys really became upset at that time.

I asked F/Lt. Harris if Linda told him about sexual comments made by Dick Miller. He said Linda told him Dick Miller came out of his office, walked up to her at the front desk and said, "Get of your porn site and run a LEIN message for me." He said that was the only message of a sexual nature she provided him. She told F/Lt. Harris there were other things but she could not provide him with other examples.

F/Lt. Harris stated if D/Sgt. Miller did say that to Sgt. Mys he shouldn't have. In fact he could run LEIN work from his own desk in his own office instead of asking her for it at all. I asked why he would bother her for it then? F/Lt. Harris advised that Miller knows Mys spends a lot of time on the Kevin Marshal Memorial web site instead of doing her job, which rubs people the wrong way. So, just guessing, he may have asked for the LEIN work just to get her to do a work related task.

I asked if Sgt. Mys told him there were other people around the post who were aware of the problems she has with D/Sgt. Miller? He said she has indicated there are people from other departments who have said negative things about Dick Miller but she has not told him who they are or what they said that is negative. I asked what her purpose was in telling him these things. F/Lt. Harris stated he believed it was because Sgt. Mys just has such a hard time with the fact that D/Sgt. Miller remains at the Newaygo post when she so much wants him gone.

I asked about Sgt. Mys performance appraisals. F/Lt. Harris stated Sgt. Mys is efficient but in the past year her productivity has diminished. She meets expectations in every area but for someone with 20 years experience she is not really high performing in the areas you would expect. She does not have a full grasp of what her job is and what the laws are. Her ability to council the troopers and guide them in their investigations is limited.

The interview concluded at 10:30a.m.

Follow-up: Before leaving the post for the day, I stopped in F/Lt. Harris' office. F/Lt. Harris advised he had thought all day long about whether or not Sgt. Mys had ever said anything to him about D/Sgt. Miller physically touching her in any way. After thinking it through he was very adamant that she did not. He stated, "If she had told me he touched her in any way I would have had to do something about it. I wouldn't have had

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any other choice. There's no way she would have told me and I would have done nothing with that information under these circumstances." He was definite she had not told him about the December 8, 2006, leg brushing incident as she indicated.

Follow-up: I had another contact with F/Lt. Harris on November 1, 2007 at 12:30p.m. He stated Diane Bolton came to him and told him she was afraid of what was going to happen when the investigation was finished. He also wanted to let me know she had been receiving hang up calls in the night, as had D/Sgt. Miller.

**INTERVIEW WITNESS DIANE BOLTON:**

I interviewed the post secretary, Diane Bolton, October 19, 2007, at 11:20 a.m. in the conference room of the Newaygo Post. I explained to Diane that the allegations were that D/Sgt. Miller had made inappropriate comments and touched employees at the post. I told her I was led to believe she was one of the victims of the comments and touching.

Diane stated she began working at the post in 1993. At that time she was was having some personal problems that included going through a divorce. I asked if during that time, did Dick Miller come to her house? She said she was vulnerable, she allowed some flirting and yes, in early 1994 Dick came to her house approximately five times. She stated looking back she felt she may even have been the one who started it. She realized he was in an unhappy marriage and they became good friends. Ultimately, they got more involved than she intended, and the relationship progressed to the ultimate physical level on one occasion. After that she said the age difference turned her off and she told him she wanted to end the relationship. When she told him to stop, it stopped. She added that each time, prior to coming to her house, Miller had phoned to see if it was alright for him to come over and she gave her consent. She advised she has never told Linda Mys this occurred.

I asked Diane if she ever told Linda Mys she had been the recipient of unwelcomed advances from Dick Miller. Diane said she thinks she may have told Linda she saw Dick looking at her in a way that made her uncomfortable, or hat he sometimes would hand her things at work in a way that made uncomfortable. (She stated this happened right after she ended the relationship with him but she did not tell this to Linda Mys) She also told me she had a conversation with him and told Dick she just wanted to be friends and didn't want to be uncomfortable around him, and from then on, everything was good between them. She said she wasn't even sure Dick was really doing those things, maybe it was just her perception, and she wished she had never said anything to Linda.

I asked what Linda told her. She said Linda told her Dick was touching her inappropriately at work and coming to her house uninvited and stalking her and she was afraid of him. She said knowing Dick, she found it hard to believe.

I asked Diane if Linda went into detail. She said Linda just told her something happened when he stopped by her house. I asked if Linda considered her to be a friend? She said she used to. One time they even went Christmas shopping together and Linda insisted on them buying Dick a Christmas present together (Billy Bass). Diane did not remember how long ago that was. She said they stopped being friends after Linda made the first accusations against Dick two years ago. She said she lost a lot of respect for both Dick and Linda at that time.

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Diane said she has never had problems with Dick. Even now she feels comfortable enough to call him if she needs help. I asked what she thought about Linda Mys' insistence that Dick Miller is as predatory as she claims. Diane said she just doesn't believe it. I asked, if Linda were to leave the door open to a relationship with Dick, does Diane think he would take advantage of it? If she doesn't say NO, would he take advantage of it? She said, "I don't think so at all."

Diane continued, "There was some flirting going on. She (Linda) was flirting with him. I don't remember him flirting with her but it was probably going on and I just don't remember it. Linda wanted to have a baby really bad. She was flirting with him. I always thought, why are you flirting with Dick when he's too old to have a baby with?" That was even prior to two years ago, before the accusations.

Diane said she believed if Linda was confiding in Dick and flirting and talking he's getting her through rough times he might be receptive to that but he wouldn't carry it to the extent (unintelligible)... I see how she is with the troops, when she doesn't like them, If she doesn't like someone she can be very vindictive.

I asked if Diane if Linda did not want to participate in something was she likely to speak up? Diane said Linda would have no problem letting Dick know if she didn't want him there. But then she gave the impression that she was scared of Dick and she was going to call D/Sgt. George Pratt and have him put cameras in her house because she was scared he was going to come to her house and attack her.

I asked Diane about the reported situation when she and Linda were in the conference room eating lunch together and Dick Miller walked in and put his arms over her chair and "had his hands all over you and whispered and giggled." Diane looked at me, shook her head and stated, "That would definitely have never happened. That would have never happened, there's no such incident, absolutely not. In fact when this was coming up, and I was told that he was touching me I went to Dick and I said you don't touch me. And he said, Well I don't know, maybe I've come up and put my hand on your shoulder. Well you know if you have it would be just over my head, like whoa, and I would think nothing of it, I wouldn't even realize it, just like anybody else in this post you know, I mean the troops could come up and talk to me and put their hand on my shoulder and it wouldn't even register."

I asked if she could think of a time she and Linda had lunch together in the conference room. Diane said it happened every day, but never did Dick Miller come in and put his hands on her or whisper to her or start giggling. Nor could she think of a time Dick Miller came into the conference room that Linda got angry and stormed out. The only time Dick came to the conference room, he stood in the doorway unless he has a search warrant he needed to ask Linda to type. Then he walked in and handed the warrant to her. Diane stated she cannot think of a situation Linda could have interpreted in the way it has been described. Diane indicated she was very resentful of being dragged into this situation and being made a part of this complaint when she has done nothing wrong. I made sure she understood that Linda is not accusing her of participating in anything or doing anything wrong. Dick Miller is the one under investigation.

I reiterated that the complaint involved allegations of comments and touching. Diane reiterated that she has seen no touching and the only comments she has heard are comments from Linda. She advised that Linda jokes with the troops and makes frequent sexual comments to them about how she is getting desperate, she is

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"not getting any," and hasn't "had any" for years. Diane says for Linda to make a complaints about Dick talking inappropriately is pretty funny.

I specifically asked Diane if she had heard the comment attributed to Dick Miller; "What does that Black Biddy want?" Diane said she could not image Dick Miller making that statement. He has a more business-like manner of speaking - less casual. Those aren't words he would use. She said she has never heard him say anything racist.

I asked if Diane was at the front desk the day Dick Miller allegedly told Linda to get off her porno site and run some LEIN work. Diane said she heard the rumor around the post of that statement, but she did not hear the statement. Diane said she could see where he might be frustrated because Linda spends so much time on non-work related things on the computer that might provoke the comment, but that isn't a Dick Miller comment.

I told Diane that Linda says Dick Miller comes out of his office any time a woman comes near the front lobby of the post just to see what she looks like. Diane said Dick doesn't come out of his office that much and he is willing to come out to help anyone - male or female.

Diane stated when F/Lt. Kevin Leavitt left (transferred to the Hart post), she heard Sgt. Mys "talk about him to everybody constantly, to all the troops, people on the phone, everybody, get them all riled up against him." She would constantly say to anyone who would listen after he left, "He was a good P.C. up until the last year when all this happened. She even said it to the Sheriff."

December 15, 2006, Diane stated she heard Linda Mys making fun of D/Sgt. Scott Rios whom Linda had sardonically dubbed "APC." Diane said Linda had a bad habit of leaving her lunch-time steak knives out in the bathroom. The public would come in or prisoners would come in and there would be the knives. This particular day, D/Sgt. Rios came in and found her steak knife, but he didn't know it belonged to Sgt. Mys. He brought it to her and pointed out that someone had left a knife in the bathroom and asked her to talk to the troopers about leaving knives like that around. Linda got angry, felt he was criticizing her, and when he left, Diane said Linda began to badmouth D/Sgt. Rios to the troopers "and get them to tee-hee at him." Diane stated that D/Sgt. Rios is a hard working man who does not slack off and here is Sgt. Mys promoting the troopers to make fun of him by calling him "APC" and laugh at him.

On December 29, 2006, Sgt. Mys "started in on him again." Diane advised she stood up and said, "You know what? I'm going home. Now you can talk about me." She stated she started feeling guilty about it later in the afternoon so she came back to work, but she felt she had made her point. I asked who was at the post. She advised Sgt. Mys was there as well as F/Lt. Harris.

I asked why Sgt. Mys criticizes Sgt. Rios. Is she not busy, does she not have enough to do? Diane advised that F/Lt. Leavitt kept her on track. But now she sits at the computer. She shops on the net, she pays bills, she works on the Kevin Marshall park project all day.

Diane stated she wanted one more thing on the record even though it had nothing to do with Dick Miller. She stated that when F/Lt. Kevin Leavitt left to go to the Hart post, Linda Mys made the statement that if the Reed

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City post opened up for promotion, she was putting in for it. If she didn't get the promotion, she was going to sue the state.

I asked if there was anything else Diane wanted to add. She said she was told that Linda was making a complaint on her behalf because Dick was touching her and because she was so quiet. She said, "I've always stood up for myself, and I'm not afraid to say something." She wanted that on the record.

On October 22, 2007, I received an e-mail from Diane Bolton asking me to call her at work because she had some other things she wanted to tell me. When I reached her, she said she remembered that Linda Mys had told her before F/Lt. Leavitt transferred to the Hart post (Jan 1, 2006) that she had gone to D/Sgt. George Pratt at the Reed City Post and asked about the possibility of installing surveillance cameras in case Miller came to her house again. Diane said she believed F/Lt. Leavitt was also aware of that conversation between Mys and Pratt.

She also wanted me to be aware that she found it ironic that Linda Mys was complaining about Dick Miller talking about anything sexual or making sexual comments. While Erin Ginn worked desk on light duty in the spring of 2007, Mys talked about sex a lot. Diane heard Mys say it did not matter what men looked like because she could just put a bag over their head. Also, She talked about having the "hots" for Jeff White (Sgt. at Reed City). Linda said he had a "nice ass." Diane said it was pretty common knowledge that Linda flirted with the UPS guy and Deputy Visser when they came into the post and made comments about them when they left. She also talked about how she was a "rabbit" in the service.

On October 31, 2007, I received an e-mail from F/Lt. Harris who indicated Diane had spoken to him conveying concern for her safety and well-being should the investigation end with results other than those hoped for by Linda Mys.

I contacted Diane Bolton in person on November 1, 2007, at the post. She related the same concern to me. She also stated she has been receiving hang-up phone calls for several days. She told D/Sgt. Miller about the phone calls and he told her he has also been receiving them. They have been coming at all times of the day and night. Miller told her to continue to document the calls but since the caller hangs up immediately after the call is answered, there is no way to trap or trace it. D/Sgt. Miller is going to follow up with the phone company.

#### INTERVIEW WITNESS DON BETTS:

On October 19, 2007, I interviewed the janitor for the Newaygo post, Don Betts. During Linda Mys interview she stated that Don Betts told her he had walked by Dick Miller's office and saw Diane Bolton sitting in the chair and Dick Miller had his hands all over Diane. I asked Don to explain what he saw. He stated approximately two months ago he walked past Miller's office and Dick and Diane were both in the office. They were both standing up, talking about something. They were both facing the same direction, and Miller had his right hand on Diane's left shoulder. I asked how he came to mention it to Linda. Don said he came to the front desk and Linda asked where Dick was. Don said he told Linda that Miller had his hand on Diane. He did not say "on her shoulder." When he told Linda that Diane was in Dick's office and he had his hand on Diane, Linda "rolled her eyes, but nothing more was said. After Linda went on Medical leave Don Betts received a phone call from Linda. She said, " You said Dick had his arm around Diane. I may need to use

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that." Don corrected her, telling her, "No, he had his hand on her shoulder. That's what I saw." Betts stated he has never seen Dick Miller put his hands on anyone inappropriately and he has never heard Dick Miller make an inappropriate joke or comment.

**INTERVIEW WITNESS TPR. WELSH:**

On October 19, 2007, at 12:40pm, I interviewed Tpr. Hugh Welsh. Tpr. Linda Mys indicated to me that Tpr. Welsh had witnessed some of the rude and crude statements made by Dick Miller, had seen him "rush to the front desk any time a woman comes into the post" and Linda Mys stated she had confided in Tpr. Welsh about being inappropriately touched by D/Sgt. Miller.

Tpr. Welsh stated he is the MSPTA post representative. Welsh stated Linda Mys did confide in him about the original complaint two years ago (IA-75-05) after the complaint was in progress - after Miller had been interviewed. He stated Linda called him to confide in him about her side of the story. He listened, called the MSPTA office, talked with MSPTA president Mike Herendeen, and then asked Herendeen to talk with Linda since she was also a member of the Association who had a right to representation.

Welsh said prior to the filing of the complaint two years ago there had been some mutual flirting going on but he was not aware of any touching or harassment or unwanted comments. When the complaint was filed he just figured somebody misread some signals somewhere.

Since that complaint was settled, there has been nothing of note. Welsh has not *seen* anything inappropriate by either party and has heard no inappropriate comments directed toward Sgt. Mys. She has told him of incidents while at the front desk D/Sgt. Miller passing by her and Miller "patting her on the ass because she wouldn't get out of the way." She has told Tpr. Welsh that Miller comes out of his office and says things to Diane that are inappropriate and crude. Tpr. Welsh says to his personal knowledge lots of things are said and talked about at the front desk but rude crude things are not directed at Linda Mys. Tpr. Welsh stated that during the prior investigation D/Sgt. Miller was told not to come into the post on weekends in order to limit contact between Mys and Miller. Welsh advised there were a couple instances of Miller coming into the post in violation of the order that Mys reported to then-Post Commander Leavitt. Leavitt again ordered Miller to refrain from coming into the post on weekends unless it was pre-authorized.

Welsh stated he was completely taken off guard this time around (IA-109-07). He did not see this complaint coming.

He stated, "Does Dick Miller come to the door when a woman comes to the lobby? Yeah. Who doesn't? Dick is old school. He's not inappropriate about it."

Tpr. Welsh stated that Linda has confided in him all along through this complaint. She also told him Dick touched somebody else inappropriately, naming Diane Bolton, the secretary. Welsh told Linda he has seen absolutely nothing in the past two years that bears this out, and he knows Diane well enough to know she would speak up for herself if Dick were bothering her.

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I asked if he has heard Dick Miller make sexual jokes or make crude remarks. Welsh stated Dick may see a crack whore and call her a crack whore but he would not look at a woman and make a remark about her anatomy or comment about how she looked or comment about her hair style

I asked about the "black biddy" comment. Welsh did not hear it and stated it would be out of character; that it would be unlikely he would make a racist remark, and he's never heard him use the word "biddy."

When asked about the "porn site" comment, Welsh advised Linda told him about it but he did not hear Dick say it.

I asked if Dick told sexual jokes at the front desk. Welsh said he has worked days since 2001 and he cannot remember any.

I asked if he ever saw Dick bump into Linda or run into her or bump past her. Welsh stated the complaint two years ago called into question Dick's character and Dick got "pissed." Dick seems to have gone out of his way the past two years to avoid Linda Mys. "I can't see him doing something stupid after he's been investigated for it."

The interview concluded at 12:55p.m.

#### INTERVIEW D/SGT. GEORGE PRATT:

On November 5, 2007, at 11:00a.m. I conducted a telephone interview with D/Sgt. George Pratt. D/Sgt. Pratt stated in the summer of 2005 he was at work when off-duty Sgt. Linda Mys came to the Reed City post and stopped by his office. She told him about problems she was having with D/Sgt. Miller at the Newaygo post. She told him Miller had stopped by her house uninvited and had made passes at her, and had kissed her. She also told him Miller had made advances at women at the Newaygo court house. She told D/Sgt. Pratt she didn't know what to do about it. D/Sgt. Pratt told her if she wanted to buy a camera, he would come to her house and install it. She told him she did not want to get Dick in trouble. I advised D/Sgt. Pratt that Linda Mys stated that she asked him to install cameras in her home. He stated that was not correct. He told her if she bought one, he would make the offer of installing it for her.

Pratt stated he advised D/Lt. Curt Schram of the situation. Schram told him he had no business getting involved, volunteering to install cameras in department employee's homes. Pratt argued that as long as it was a personal camera in a personal home off- duty for a friend, it was not a Department concern. He was just advising the Department as a courtesy because the department had a vested interest in the situation. D/Sgt. Pratt said after he made the initial offer to Linda Mys, he did not hear anything more from her.

D/Sgt. Pratt stated he has known D/Sgt. Miller for a long time and he was somewhat shocked to learn of the allegations. He said the allegations Linda Mys was making against Dick Miller just didn't sound like the Dick Miller he knew. He stated he liked Linda Mys and used to work with her when she was at the Reed City Post, but she has a lot of problems. In a conversation with Dick Miller he told Dick it would be best if he kept his distance from her. She could cause him a lot of trouble.

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#### INTERVIEW KEVIN LEAVITT:

On November 1, 2007, at approximately 2p.m. I interviewed D/Sgt. Kevin Leavitt in his office at the Hart post. D/Sgt. Leavitt initially had reservations regarding the interview since he was the post commander at the Newaygo post when Linda filed IA-75-05 (June 2005) and for the six months thereafter.

During the Reduction in Force Kevin Leavitt was transferred to the Hart post January 1, 2006, and accepted a position at the post as the Detective on June 28, 2007.

I advised D/Sgt. Leavitt of the investigation and asked if he could provide any input. I told him of Sgt. Mys obligation to bring forth complaints in a timely manner in accordance with Article 5 (90 days). We then discussed the complaints Linda had levied that were beyond the time deadline of Article 5. Leavitt advised he keeps pretty fair notes regarding incidents and he was willing to share them. The notes shared by D/Sgt. Leavitt go back to December 10, 2003, and end at 11-30-05. Leavitt was annoyed at the prospect of being dragged into any kind of hostile work environment complaint. He stated he worked hard as post commander at the Newaygo post to do his job and all he asked from his employees was that they do their jobs. As a new post commander he stated there were probably times he should have written people up, including Linda Mys, but he thought he could better handle it other ways.

D/Sgt. Leavitt went through many of the notes he had on the computer (see external document e-mail Administrative file) and discussed each one. I listened and took some notes and then turned on the tape recorder as he continued to discuss the file. The Linda Richards referred to in the file is Linda Mys.

According to the notes in the file and the discussion with D/Sgt. Leavitt, on 7-18-05 Linda took the Tahoe home and kept it overnight to drive to Lansing the next day. In her interview with me she stated she sent her post commander an e-mail the day before in an effort to let him know what she was doing and and not be sneaky. She did not mention that F/Lt. Leavitt was on vacation all week and D/Sgt. Rios was the APC. She did not say she sent an e-mail to him.

On 7-17-05 Sgt. Mys stated she was turned down for overtime that in the past had been automatically authorized in preparation for a post inspection. However, according to Kevin Leavitt's documentation, Sgt. Mys went home early (sick) on 7-11 and 7-12 without authorization and without advising a supervisor. Then she came in and worked 3 hours and requested overtime on a pass day.

7-20-05 documentation indicates counseling memo to Sgt. Mys for taking property and patrol vehicle without authorization. Mys stated she understood she was wrong an apologized for insinuating I (Leavitt) was retaliating against her for making allegation.

7-28-05 occurred, reported to Leavitt 7-29-05: Gun incident: Miller advised Leavitt that when Linda came out of restroom with gun in hand she was babbling, not making sense. Miller called Wolford, Wolford called Linda. Linda upset that Capt. Gorski had called Wolford, and Dick told Leavitt what had happened. Leavitt told Linda that Dick is under order to have no non-work contact and report any contact. (Linda says this happened in Sept)

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D/Sgt. Leavitt stated while he was in Quantico Linda wrote a letter on to the local FOP on MSP letterhead blasting a local Sheriff's deputy for misappropriating FOP funds. The allegations were never investigated. Another election was held and new officials were elected. Linda had also called MCOLES regarding certification of some of the officers on the Grant police department. Rather than talk directly to Grant P.D., she went to MCOLES which caused problems locally when F/Lt. Leavitt returned to his position from the FBI academy.

D/Sgt. Leavitt articulated the reason he placed D/Sgt. Rios in the APC position instead of Sgt Mys. He stated Linda had been so much a part of the workplace issues for so long and if she was in charge and if she had to make decisions that included Dick Miller he wondered what she would do. He said, "I trust Scott (Rios)." Ron Nelson was working nights, so Scott Rios was the logical choice.

On November 28, 2005, D/Sgt. Miller advised Kevin Leavitt of the following: Diane Bolton (the secretary) had a conversation with Mys. Mys said Miller touched one of the secretaries at the prosecutors office on the butt and also sexually assaulted Mys. Miller had contacted an attorney. Leavitt relayed all this to Capt. Gorski. The next day Miller told Leavitt he wanted this all investigated by D/Lt. Schram as a criminal matter.

11-29-05 UD-93 submitted.

11-29-05 Dick had been messing with Jamie in the prosecutor's office regarding taking her cigarettes and throwing them away, and he may have accidently bumped her breast. Dick apologized. Jamie wanted it dropped but her boss wanted to pursue it.

On July 14 and 15, 2005, Dick Miller came into the post to get some work done. Those were Linda Mys pass days. When Linda Mys showed up at the post to work on the Kevin Marshall golf outing, it put Dick Miller in violation of the no non-work contact order (see external doc). He immediately called D/Lt. Curt Schram who told him to document it on his daily. D/Sgt. Leavitt stated Miller was generally very careful about his contact with Mys.

D/Sgt. Leavitt stated while he was at the Newaygo post he did not see D/Sgt. Dick Miller make any physical moves to touch or bump or brush Sgt. Mys. Nor did he hear D/Sgt. Miller make any inappropriate comments to or about Sgt. Mys.

#### NOTICE OF ADMINISTRATIVE INTERVIEW:

I sent the Notice of Administrative Interview to D/Sgt. Dick Miller via e-mail on 10-30-07 at 8:38 a.m. He replied to my e-mail indicating he had received it on 10-30-07 at 9:01 a.m. and advised he had printed it out. He did not sign the notice until the morning of the interview in the presence of me and the MSPTA representative, Mitch Stevens. The notice stated the interview was to be held at the Newaygo Post on November 1, 2007 at 10:00 a.m.

#### INTERVIEW PRINCIPAL, D/SGT. DICK MILLER:

I interviewed D/Sgt. Dick Miller in his office at the Newaygo Post on November 1, 2007. The interview began at 10:25 a.m. I followed the Outline for Conducting an Administrative Interview. I read the allegations from the Notice of Administrative Interview and provided time for D/Sgt. Miller and his MSPTA

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representative, Mitch Stevens to caucus, which they declined. I read Sections 4.35 and 4.35a of Official Order #1 and ordered D/Sgt. Miller to answer my questions fully and truthfully. When asked, D/Sgt. Miller and his representative both advised they understood their rights and obligations and felt they had been fully apprised of their responsibilities. We proceeded with the interview.

I began the interview by asking D/Sgt. Miller what he believed was driving this investigation? These allegations came up two years ago and everybody thought they had been investigated and finalized. Miller said no matter what the outcome of this investigation, it will not be over because Linda will not allow it to be over. In his opinion, Linda Mys has psychiatric problems. He categorically denied each of the specific allegations of touching, fondling, or handling of any female employee. He could not imagine what Linda Mys could be referring to, and wanted to examine each of the specific charges. As far as a specific comment, he thought he knew what she could be referring to but would wait until I asked the questions.

I asked if Dick Miller ever made a comment about a woman who asked for an FOI sheet using the words, "What did that Black Biddy want?" He said, "I have no clue. When did this supposedly occur? I can't answer that, I don't have any recollection of any adverse contact with any black woman or for that matter any woman who may have come in and asked for an FOI report." I asked if he recalled saying that? He said, "No."

I asked if on August 27, 2007, he approached the desk and said to Linda Mys, "Get off your porno site and run this Lein work?" Miller said, "I remember that." I asked if he said it. He said, "Not exactly like that." I asked what he did say. He explained that he went to the front desk to get an interstate Criminal History because his computer does not print those. Linda, as usual, was on a web site. He believed Erin Ginn may have been present, as well as Diane Bolton, but no civilians. He went to the front desk. He stated since 2005 he has made it a point not to get closer than 5 feet to Linda. He stood at the desk and waited for her to acknowledge him while she was "making a lot of noise yapping about what they were looking at on the computer." He finally said, "Hey if I can get you to turn that porno page off would you run this for me?" He said it may not have been the most proper thing to say but he was frustrated with her attention to things other than departmental matters. I asked what she was looking at on the internet? He said it could have been some of the Marshall Park stuff or some of her shopping network stuff, he just knew it was not departmental work. He stated he knows it was not pornography. At that point, Linda took a half step back, nothing was said, but she ran the computer work.

We next discussed the 12-8-06 allegation Linda made that Dick Miller walked by the front desk and brushed her upper right thigh and buttock with his hand. Miller stated he has been very careful for the past two years to stay at least 5 feet from Linda just for this reason. He went through this same allegation at the shooting range a couple years ago. He stated because of the limited spaces at the Newaygo post there is always the chance if they walk down a hallway with multiple people their arms could have inadvertently passed each other, he simply does not recall it, but "there is no way in hell he ever touched that woman intentionally." I asked if there was a chance he could have done this just getting through the desk area. Miller said if he sees Linda even opening the file drawers he waits until she clears the area before moving in that direction. He is absolutely preoccupied with these precautions. He went on to say that in her defense, he thinks she believes what she accuses him of which is disturbing, because she actually believes she is being victimized. Dick Miller stated it is not happening by him.

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I asked Dick Miller how he could explain a witness coming forward and telling me they saw him brush his hand along Linda Mys' thigh and buttock, pretty much the way Linda said it happened? The witness then exclaimed, "What the F... was that?" indicating the witness saw it happen and and found it surprising. Miller said, "Witness? Who's the witness? If you're using the word what the f-ck is that, that tells me it's Erin Ginn because that's the way she talks. I can't answer that because I have never intentionally touched Linda and have no recollection of brushing by or touching her and nobody ever made the statement in my presence of 'what the f-ck was that'." I asked if there could be any reason for Erin Ginn to corroborate or "side" with Linda? Miller said he has never had any conflicts with Erin Ginn but he is aware that since the allegations of 2005 Erin has taken Linda's side and believe's Linda's accusations have some standing. Miller has never spoken to Erin Ginn about it.

Miller stated, "If there was some circumstance where we were walking through or by the files, and I have no recollection of that, and we somehow touched one another, and I have no recollection of, but had we done so, and Linda was taken aback, there was nothing said to me to bring it to my attention from any quarter and for me to...I don't know what she may or may not have seen, or what her perception may or may not have been but I would have to be a damned fool to go back and touch a female who previously had accused me of second and fourth degree Criminal Sexual Assault. I'm not the brightest guy on the stump but I'm not a fool."

We then discussed the allegation made by Linda Mys that Dick Miller comes up behind her and reaches above her (from behind her) to make it appear he is reaching for a book or an object and nudges or bumps or rubs into or against her. Dick Miller said that happens, "Only in her imagination. That is an absolute positively guaranteed lie." I asked, Never happened? Miller replied, "There may have been a time before she accused me of sexual assault when I reached over her in the office but even back then there was nothing intentional. If she is claiming this is ongoing, she is an outright liar."

We then discussed the situation wherein Linda complained to the post commander on behalf of Diane Bolton on 9-17-07. Miller stated he had a very close personal relationship that ended with Diane nine years ago. They now have a professional relationship at work. He knows Diane is currently engaged and planning to move with her fiance to a new life. Miller stated he would not do or say anything that would upset Diane's life or relationship with her fiance. It would not happen. He said for Linda to say he has sexually targeted Diane or handled her or fondled her is obscene. He stated he has placed a hand on Diane's shoulder or the back of her chair when he talked to her about typing something up for him, but he does not hug her or hold her. He has no idea where Linda gets the idea that there is anything beyond a professional relationship between him and Diane Bolton. Miller stated he assumed Diane Bolton said the same thing.

I asked Dick Miller if he had anything else he thought was pertinent to the investigation. He sated he believed the reason Linda Mys was bringing the allegations against him stemmed from the following situation involving Linda revealing the source of one of Dick Miller's informants. Then he told the following story:

In the late 1990s a Newaygo City Manager embezzled \$1.8 million. A local citizen, Don Corrigan, and his group then requested paperwork from the city detailing expenditures but they were stonewalled. The people involved in the development project were the city mayor and city manager and a couple investment groups. Because of all the money involved, the FBI got involved. Dick Miller worked with them and one third of the

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1.8 mil was recovered and one of the people involved went to prison. Miller stated he is convinced not all the people involved were prosecuted and not all the money was recovered.

Now there is a new City manager who has a relationship with Linda Mys. She has worked closely with him in the Kevin Marshall Park project since 2004. According to Dick Miller, Linda has become obsessed with everything about Kevin Marshall. She has even personally obligated herself financially to the park and the memorial.

The new city manager and the new mayor have a new \$100 million project planned outside the city along the river and they want the city to provide the infrastructure (sewer, water etc) in Garfield twp and then annex it into the city. The people in the affected area of Garfield twp turned it down. Newaygo was still paying off the 1.8 mil from the past. So the City and the Township Supervisor did an in-house agreement and did a property exchange. The city council approved it. Corrigan's group felt they were being stonewalled and requested an investigation that included attorneys. There appeared to be irregularities so they brought the paperwork to Dick Miller. Miller brought an FOI request to City Hall requesting specific paperwork, bypassing the Chief of Police, which ruffled some feathers. Within hours Miller found what caused the problem in the paperwork and determined there had been no crime committed. Miller says, "The City Manager still believes I have it in for him because how dare I investigate him?"

Eric Malone opened B&B in Newaygo. One day he came to see Dick Miller and told him he had been approached for a bribe by the city manager. Miller told him to keep records, keep notes. D/Sgt. Miller made a report but said AICS is shared by the City of Newaygo and of course Sgt. Mys has access. He believed Linda let it be known Malone was solicited for a bribe. In January or February of 2007 the city manager accused Dick Miller of having him being targeted for an audit. When Miller pointed out he had nothing to do with getting him audited, the City manager told him if Miller crossed him he would "take him out." Miller asked, "Are you threatening me?" The city manager said, "No, I don't mean physically, I mean, I'll destroy you." Miller says that is what is going on with the Bed and Breakfast guy.

Mr. Corrigan discovered during the previous election, the current Mayor should have been disqualified because his taxes were in arrears and had been for three years. He brought it to the attention of the city council. Corrigan pointed out to the city council they could have the mayor step down but the city council didn't want to do that. Corrigan came into Dick Miller's office the next morning the next morning at 8a.m. When he walked into Miller's office, Linda Mys called the Newaygo Police Chief to tell them Corrigan reported a crime, the subject matter, and what was going on. D/Sgt. Scott Rios overheard the conversation (verified with Rios). Corrigan demanded an investigation because it was a violation of City Charter if not a misdemeanor. D/Sgt. Miller called D/Lt. Schram requesting a letter of guidance be sent from the Attorney General's office to the City of Newaygo.

Scott Rios reported the situation to F/Lt. Harris.

Miller stated after two weeks nothing had happened, then one morning Mr. Corrigan came back to his office. He told Corrigan unless you want the City Manager and Police Chief to know you're talking to me, don't come here to my work when Linda is here. She is a little mouse and she talks out of school. Two days later Linda came into Miller's office.

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June 28, 2007, Corrigan came in knowing Linda was there. Linda came in and told Miller to distance himself from Corrigan because it caused her a lot of grief. The city manager is all upset and she had to work with him on the Marshall Park project. Taking those complaints and investigating the city is causing her a lot of grief because of Marshall Park. She told Miller that she knew some people thought she was a little mouse and she went downtown and talked about things. Miller told her he knew she told things. Then Linda apologized and said she had only done it once. She said you have to understand, I have to get along with these people because of Marshall Park. Miller then told her he could no longer trust her and would not share information with her. She asked if the post commander knew about it. Miller said he did, but he did not tell how he knew or who told him.

Linda stated it would not happen again. She seemed very concerned that Dick Miller could not trust her. She informed him she was not out to get him. And she wanted everything even between them.

Dick Miller is of the opinion that Linda Mys has brought these most recent allegations forward because she got caught revealing an informant and the nature of an investigation to the opposition and she got caught at it. He stated to his knowledge she has not been given any sort of admonishment, or counselling for revealing either the informant or the information, "but that is not my position to do so."

Finally, Dick Miller stated, "I am not guilty of intentional touching of any female at this post. I can't even begin to imagine why Tpr. Ginn thinks I did something intentionally. I'm dumbstruck on that. I don't understand that. My comments about Black Biddies or Fat little muffins or whatever I have no clue, I have never had a female tell me I have represented a sexist nature or attitude or touching." Now in between this episode, and 2005, and currently, Linda came back and told Ginn and Diane of two other girls I supposedly assaulted at the prosecutor's office. Both girls denied it ever happened. One was a girl I was taking cigarettes from and it was completely accidental - I didn't pinch her, she pinched her own boob while we were going for her cigarettes. The other was 25 years ago with Annie, a girl who gave you a lip lock if she caught you under the mistletoe. As she turned around I supposedly slapped her on the butt and said, "see ya later kiddo." I have no recollection of it, 25 years ago. Linda got that information from the Prosecutor after "crying" about being sexually assaulted by Dick Miller.

D/Sgt. Miller stated he did not want to go back into the complaint from 2005. Linda was showing up for work injured. He knew she'd hurt herself while drinking. He knew her to be an alcoholic. He was an alcoholic but hadn't had a drink since 1985. Unfortunately he made a bad decision when trying to help her. She kissed him, he kissed her back and it's been a nightmare ever since.

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**Internal Affairs****ORIGINAL INCIDENT  
REPORT**

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**EXTERNAL DOCUMENTS:**

48 hour notice of Administrative Interview for Dick Miller  
 1-20-06 Counselling memo  
 June 27, 2005 memo to Miller - no contact with Mys  
 July 19, 2005 memo to Mys - ref contact w/Miller  
 Dec 7, 2005 memo to Mys - public statements ref IA-75-05  
 e-mail ack of receipt of notice of admin interview  
 May 20 Kevin Leavitt admin file 4 pages  
 June 28, 2007 e-mail Miller to Harris  
 Dailies for Bolton, Miller, and Mys dated September 13, 2005  
 Dailies for Ginn, Miller, and Mys dated December 8, 2006

**STATUS:**

Open

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